

Form PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (Rev. 07-2005)		Attorney's Docket Number <b>17625-0100</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. Application No. (if known, see 37 CFR 1.5)
International Application No. <b>PCT/US2005/007649</b>	International Filing Date <b>10 March 2005</b>	Priority Date Claimed <b>10 March 2004</b>
<p>Title of Invention  <b>RAMAN-ENHANCING, AND NON-LINEAR OPTICALLY ACTIVE NANO-SIZED OPTICAL LABELS AND USES THEREOF</b></p>		
<p>Applicant(s) for DO/EO/US  <b>Robert Martin DICKSON; Jie ZHENG; Lynn Anne CAPADONA; Jeffrey Thomas PETTY; Sandeep Ajit PATEL; and Marcus WECK</b></p>		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p>		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), and (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached herewith.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p><b>Items 11. to 20. below concern document(s) or information included:</b></p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input checked="" type="checkbox"/> A copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>		

U.S. Application No. (if known, see 37 CFR 1.5)	International Application No. PCT/US2005/007649	Attorney's Docket Number 17625-0100	
The following fees are submitted:		CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> a) Basic national fee (37 CFR 1.492(a)).....		\$300.00	
22. <input checked="" type="checkbox"/> b) Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....		\$200.00	
All other situations.....		\$200.00	
23. <input checked="" type="checkbox"/> b) Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....		\$0	
Search Fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority .....		\$100.00	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....		\$400.00	
All other situations.....		\$500.00	
<b>TOTAL OF 21, 22 and 23=.....\$600.00</b>			
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821.(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492 (j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round <b>up</b> to a whole number)	Rate
105 - 100 =	5/50 =		x \$250.00
\$250.00			
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).			
Claims	Number Filed	Number Extra	Rate
Total claims	78 - 20 =	58	x 50.00
Independent Claims	7 - 3 =	4	x 200.00
Multiple Dependent Claims (if applicable)		+ 360.00	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$4,680.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.			
<b>SUBTOTAL =</b>			\$2,340.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).			
<b>TOTAL NATIONAL FEE =</b>			\$2,340.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			
<b>TOTAL FEES ENCLOSED =</b>			\$2,340.00

	<b>Amount to be refunded:</b>	\$
	<b>charged:</b>	\$2,340.00

- a.  A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. 19-5029 in the amount of \$2,340.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 19-5029. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:  
 Kathryn H. Wade, Esq.  
 SUTHERLAND ASBILL & BRENNAN, LLP  
 999 Peachtree Street, N.E.  
 Atlanta, Georgia 30309  
 Telephone: 404-853-8000

*Kathryn H. Wade*  
 Kathryn H. Wade, Ph.D., Reg. No. 54,682  
 CUSTOMER NO. 29052

I hereby certify that this correspondence is being electronically filed with the Commissioner for Patents, Mail Stop: PCT, P.O. Box 1450, Alexandria, VA 22313-1450 on September 8, 2006.

*Kathryn H. Wade*  
 Kathryn H. Wade, Ph.D. – Reg. No. 54,682